



DEPARTMENT OF THE ARMY
GALVESTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1229
GALVESTON, TEXAS 77553-1229

REPLY TO
ATTENTION OF

Navigation Branch

April 25, 2025

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS, GALVESTON DISTRICT
AND
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

PUBLIC NOTICE NO. HSC-M-6

DRAFT ENVIRONMENTAL ASSESSMENT
BAY AQUATIC BENEFICIAL USE SITES (BABUS)
GALVESTON BAY: HARRIS AND CHAMBERS COUNTIES, TEXAS

PURPOSE

This public notice is to inform interested parties that the U.S. Army Corps of Engineers, Galveston District (USACE) has prepared a draft Environmental Assessment (EA) in accordance with the National Environmental Policy Act (NEPA), Public Law 91-190, and regulations for implementing the procedural provisions of the NEPA, 40 Code of Federal Regulations 1500-1508 for the evaluation of potential impacts associated with the associated with the construction and use of the Bay Aquatic Beneficial Use Sites (BABUS) for the beneficial placement of maintenance dredged material from the authorized dredging of the Houston Ship Channel.

The USACE has prepared the Draft EA to identify, evaluate, and disclose all impacts from work associated with this project that were not previously evaluated or disclosed in the Houston Ship Channel Expansion Channel Improvement Project 11- Final Integrated Feasibility Report and Environmental Impact Statement.

This notice is being distributed to interested State, Federal, and local agencies, private organizations, and individuals in order to assist in collecting facts and recommendations concerning the proposed beneficial placement of dredged material.

PROJECT LOCATION

The BABUS project area is in upper Galveston Bay, southeast of Atkinson Island, north of the Mid Bay Placement Area, and east of the HSC.

PROJECT DESCRIPTION

The BABUS project will consist of two types of beneficial use (BU) placement areas (PA): an excavated BU PA created by excavating the bay bottom and using that material to construct confining dikes, and marsh fill PAs for the beneficial use of material to create intertidal vegetated marsh habitat. The containment dikes around these areas will be constructed of bay bottom material excavated from within the dredged material PA. The crest and outer slopes of these containment dikes are anticipated to provide habitat benefits, such as upland bird nesting habitat, intertidal marsh, and oyster reef.

NEED FOR WORK

The purpose and need of the proposed action is to establish a beneficial use placement area (BU PA) for future O&M material, as well as material from modifications to areas adjacent to the HSC, over a 50-year period. Dredged material will be used beneficially to create intertidal wetland marsh areas and other upland and sub-tidal habitats.

COMPLIANCE WITH LAWS AND REGULATIONS

This proposed project has been coordinated with Federal, State, and local agencies. The following is a list of Federal, State, and local agencies with which these activities are being coordinated:

Federal:

U.S. Fish and Wildlife Service
National Marine Fisheries Service
U.S. Environmental Protection Agency

State:

Texas Parks and Wildlife Department
Texas General Land Office, Coastal Coordination Council
Texas Historical Commission
Texas Commission on Environmental Quality

Local:

Port of Houston Authority

Consultation procedures have been initiated with the USFWS and NOAA Fisheries (National Marine Fisheries Service, NMFS) in compliance with the Endangered Species Act, as amended. Our initial determination is that the proposed action may affect, but is not likely to adversely affect the West Indian Manatee (T), loggerhead sea turtle (*Caretta caretta*) (T), Kemp's ridley sea turtle (*Lepidochelys kempii*) (E), and green sea turtle (*Chelonia mydas*) (T).

The proposed project has been coordinated with the Texas GLOs Coastal Coordination Council. The proposed project would impact waters within the Texas Coastal Management Program, and

therefore a Coastal Management Program Consistency Determination has been requested.

The proposed activity has been coordinated with the State Historic Preservation Officer. Our initial determination is that the proposed action will not have any adverse impacts on historic or cultural resources.

STATE WATER QUALITY CERTIFICATION

The proposed project will be evaluated with regard to the requirements of Section 404(b)(1) of the Clean Water Act. The Texas Commission on Environmental Quality (TCEQ) is reviewing the proposed project under Section 401 of the Clean Water Act and in accordance with Title 30, Texas Administrative Code Section 279.1-13, to determine if the work would comply with State water quality standards. By virtue of an agreement between the U.S. Army Corps of Engineers and the TCEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the TCEQ a decision on water quality certification under such act. Any comments concerning this work may be submitted to the Texas Commission on Environmental Quality, Attention: 401 Coordinator, (MC-150), P.O. Box 13087, Austin, Texas, 78711-3087. The public comment period extends 30 days from the date of publication of this notice. A copy of the public notice with a description of the project is made available for review in the TCEQ's Austin office.

The TCEQ may conduct a public meeting to consider all comments concerning water quality if requested in writing. A request for a public meeting must contain the following information: the name, mailing address, and telephone number of the person making the request; a brief description of the interest of the requester or of persons represented by the requester; and a brief description of how the project would adversely affect such interest.

EVALUATION FACTORS

The decision whether to proceed with the proposed action will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources, as well as public and environmental safety and economic concerns.

ENVIRONMENTAL DOCUMENTATION

A preliminary review of this proposed project indicates that an Environmental Impact Statement (EIS) is not required. This preliminary determination of EIS requirement will be changed if information brought forth in the coordination process is of a significant nature. An Environmental Assessment and the appropriate NEPA compliance documents have been prepared, and made available to interested Federal, State, local agencies, and known interested persons.

As documented in the EA, the project would avoid and/or minimize significant impacts to the human and natural environment.

PUBLIC COMMENT

Persons desiring to provide comments on the project are requested to submit their comments in writing within 30 days of the date of this notice to:

U.S. Army Corps of Engineers, Galveston District
Attention: Ms. Lisa M. Finn
P.O. Box 1229
Galveston, TX 77553

or by email: Lisa.M.Finn@usace.army.mil The comments should make specific reference to Public Notice No. HSC-M-6

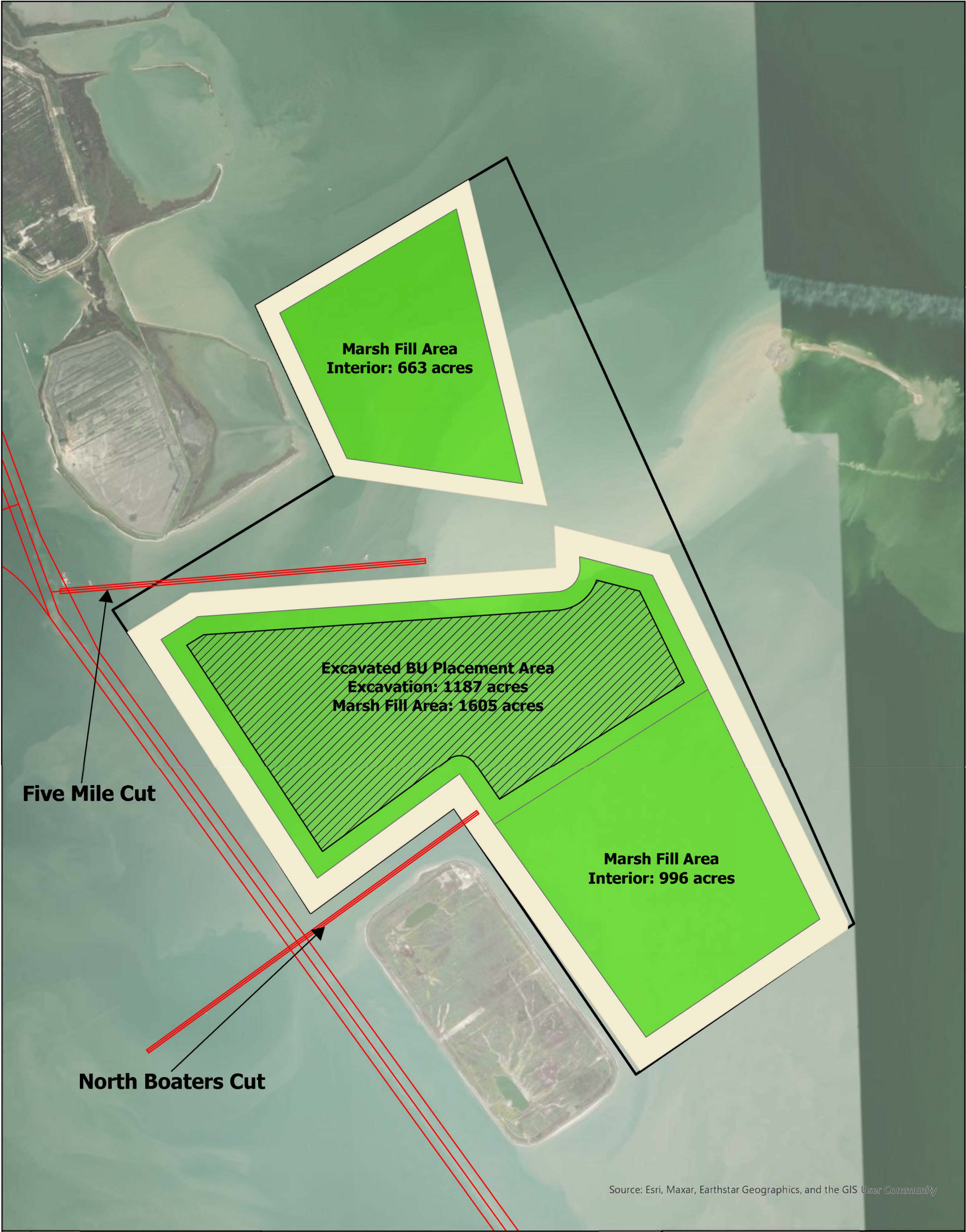
Any person who has an interest that may be affected by this action may request a public hearing. The request must be submitted in writing within 30 days of the date of this notice and must clearly set forth the interest that may be affected and the manner in which the interest may be affected by this activity.

Any questions concerning the proposed action may be directed to Ms. Lisa M. Finn, at (409) 766-3949.

A handwritten signature in black ink, appearing to read 'Chris Frabotta', with a long horizontal line extending to the right.

Chris Frabotta
Chief, Operations Division
Galveston District

Attachment: Exhibit A



Legend

- BABUS Survey Area - 5,485 acres
- Exterior Levee - Total area: 4353 acres
- Marsh Fill
- Proposed Excavation
- Houston Ship Channel



0 1,250 2,500 5,000 Feet

BABUS Project Map

Bay Aquatic Beneficial Use Sites
(BABUS)
USACE
Galveston Bay, Texas

Date: Apr 07, 2025

Prepared By: LEI

Prepared For: USACE

Project: BABUS



**US Army Corps
of Engineers®**